

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

TRACY BROWN, )  
                  )  
Plaintiff,     )  
                  )  
v.               )     1:19CV696  
                  )  
KENNETH LASSITER, et al., )  
                  )  
Defendants.     )

**ORDER**

This matter is before this court for review of the Recommendation filed on January 25, 2022, by the Magistrate Judge in accordance with 28 U.S.C. § 636(b). (Doc. 35.) In the Recommendation, the Magistrate Judge recommends that Defendants' motion for summary judgment, (Doc. 24), be granted and that this action be dismissed. The Recommendation and notice were served on the parties to this action on January 25, 2022. (Docs. 35, 36.) Plaintiff filed objections, (Doc. 37), and Defendants responded, (Doc. 38), to the Recommendation.

This court is required to "make a de novo determination of those portions of the [Magistrate Judge's] report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). This court "may accept, reject, or modify, in whole or in part, the findings or recommendations

made by the [M]agistrate [J]udge. . . . [O]r recommit the matter to the [M]agistrate [J]udge with instructions." Id.

This court has appropriately reviewed the portions of the Recommendation to which objections were made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Recommendation, (Doc. 35), is **ADOPTED**. **IT IS FURTHER ORDERED** that Defendants' Motion for Summary Judgment, (Doc. 24), is **GRANTED**, and that this action is hereby, **DISMISSED**.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 23rd day of March, 2022.

William L. Osten, Jr.  
United States District Judge